

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

LEGAL SEA FOODS, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 1:09cv711 (AJT/JFA)
)	
METROPOLITAN WASHINGTON)	
AIRPORTS AUTHORITY,)	
)	
Defendants.)	
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ORDER

This matter is before the Court on Metropolitan Washington Airport Authority's Consent Motion for Leave to File Under Seal (Doc. No. 22). Defendant Metropolitan Washington Airports Authority ("MWAA") seeks leave to file its Opposition to Plaintiff's Motion for Preliminary Injunction under seal.

Before sealing a court document, a district court must: "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting alternatives." *Ashcraft v. Conoco, Inc.*, 218 F.3d 288, 302 (4th Cir. 2000).

The public notice requirement is met by "[n]otifying the persons present in the courtroom of the request to seal or docketing it reasonable in advance of deciding the issue." *In re Knight Publ'g Co.*, 743 F.2d 231, 235 (4th Cir. 1984). MWAA has satisfied this requirement since it filed its Consent Motion for Leave to File Under Seal on July 27, 2009, and noticed it for a hearing on August 7, 2009, on the Court's publicly available docket. Also, the Court finds that


there are no less drastic alternatives to sealing the opposition memorandum and accompanying exhibits. Redacting the information at issue is not an option. The opposition memorandum and accompanying exhibits refer to and contain confidential, sensitive and proprietary business information of both parties and non-parties to this litigation and these parties would be harmed if these and other documents were made public.

For these reasons, and for good cause shown, it is hereby

ORDERED that Metropolitan Washington Airport Authority's Consent Motion for Leave to File Under Seal (Doc. No. 22) be, and the same hereby is, GRANTED; and it is further

ORDERED that Defendant Metropolitan Washington Airports Authority's Opposition to Plaintiff's Motion for Preliminary Injunction and accompanying declaration of Kathleen T. Verret and exhibits and declaration of Arnold L. Mayersohn and exhibits (Doc. No. 24) be, and the same hereby is, SEALED until further Order of this Court.

The Clerk is directed to forward copies of this Order to all counsel of record.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
August 7, 2009